

Wayne H.  
J.

BEFORE THE BOARD OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

---oo0oo---

IN THE MATTER OF THE	:	
REQUEST FOR AGENCY ACTION BY	:	NOTICE OF HEARING
UTAH PORTLAND QUARRIES, INC.,	:	
FOR AN EXTENSION OF THE	:	
SUSPENSION PERIOD UNDER THE	:	Docket No. 2002-018
APPROVED NOTICE OF INTENTION	:	
FOR THE QUARRY ANTONE	:	Cause No. M/045/021
MINING OPERATION LOCATED IN	:	
TOOELE COUNTY, UTAH.	:	

---oo0oo---

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE ENTITLED MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, OCTOBER 23, 2002, at 10 A.M., or as soon thereafter as possible, in the Board Room of the Department of Natural Resources, 1594 West North Temple, Suite 1050, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with Utah Code Ann. § 40-8-1 *et seq.* (2002), Utah Code Ann. § 63-46b-1 *et seq.* (2002), and the rules of the Board as set forth in Utah Administrative Code R641 (2002).

The purpose of the proceeding will be for the Board to receive testimony and evidence regarding an Order:

1. Granting Utah Portland a five year extension of the suspension period for the Quarry Antone mining operation in Tooele County, under Notice of Intention M/045/021, subject to the condition that if the mine is not reopened by the end of that period the Division of Oil, Gas and Mining ("Division") will reassess Quarry Antone's status and make a determination on reclamation, subject to the right of Utah Portland to appeal the Division's determination to the Board within 30 days.
2. Providing for such other relief as may be just and proper under the circumstances.

Page 2  
Notice of Hearing  
Quarry Antone  
Docket No. 2002-018

Objections to this matter should be filed with the Secretary of the Board at the address listed below no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. Objections filed later may be considered by the Board at or before the regularly scheduled hearing for good cause shown.

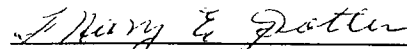
Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts. Attorney representation may be waived by the Board upon petition and good cause shown.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned. A party who fails to attend or participate in the hearing may be held in default.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Mary Potter at (801) 538-5327, at least three working days prior to the hearing date.

DATED this 21 day of October, 2002.

STATE OF UTAH  
BOARD OF OIL, GAS AND MINING  
Elise L. Erler, Chair

  
\_\_\_\_\_  
/s/ Mary E. Potter  
Secretary to the Board  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84116  
(801) 538-5327

**CERTIFICATE OF MAILING**

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING in Docket No. 2002-018, Cause No. M/045/021, to be mailed with postage prepaid, this 3 day of October, 2002, to the following:

**CERTIFIED MAIL**

7099 3400 0016 8895 8188

Michael J. Malmquist, Esq.

**PARSONS BEHLE & LATIMER**

201 South Main Street, Suite 1800

Salt Lake City, Utah 84111

(Attorney for Utah Portland Quarries, Inc.  
& Lone Star Industries, Inc.)

Kurt E. Seel, Esq.

Assistant Attorney General

160 East 300 South, 5<sup>th</sup> Floor

P.O. Box 140815

Salt Lake City, Utah 84114-0815

(Attorney for Board of Oil, Gas & Mining)

Steven F. Alder, Esq.

Assistant Attorney General

1594 West North Temple, Suite 300

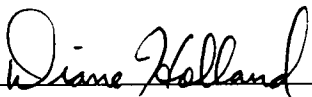
Salt Lake City, Utah 84116

(Attorney for Division of Oil, Gas & Mining)  
(Hand Delivered)

Utah Portland Quarries, Inc.

10401 N. Meridian St., Suite 400

Indianapolis, Indiana 46290

  
\_\_\_\_\_